

2015.

Petitioner filed a motion for attorneys' fees and costs on October 2, 2015. On October 19, 2015, respondent filed a response to petitioner's motion for attorneys' fees and costs, stating that "while [she] disagrees with the analysis and findings in [*McCulloch*], respondent has determined that her resources are not wisely used by continuing to litigate the issues addressed in that decision." Response to Motion at 1-2. Accordingly, respondent indicated that she "defers to the special master's statutory discretion in determining a reasonable fee award for this case." *Id.* at 2.

Petitioner here requests a total award of fees and costs in the amount of \$15,567.49. Motion for Attorney Fees & Costs at ¶ A. This amount includes attorneys' fees in the amount of \$13,916.60, and attorneys' costs in the amount of \$1,650.89. *Id.* Additionally, in accordance with General Order #9, petitioner represents that he incurred no reimbursable costs in pursuit of this claim. Pet. and Counsel Statement at 1.

The Vaccine Act permits an award of reasonable attorneys' fees and costs. 42 U.S.C. § 300 aa-15(e). Based on the reasonableness of petitioner's request, which is consistent with the rates and reasoning established in *McCulloch*, the undersigned **GRANTS** the request for approval and payment of attorneys' fees and costs.

Accordingly, an award should be made as follows:

(1) in the form of a check jointly payable to petitioner and to petitioner's attorneys at Conway, Homer & Chin-Caplan, in the amount of \$15,567.49.

In the absence of a motion for review filed pursuant to RCFC Appendix B, the clerk of the court **SHALL ENTER JUDGMENT** in accordance herewith.³

IT IS SO ORDERED.

s/ Thomas L. Gowen
Thomas L. Gowen
Special Master

³ Pursuant to Vaccine Rule 11(a), entry of judgment is expedited by the parties' joint filing of notice renouncing the right to seek review.